

5.0 CUMULATIVE IMPACTS SUMMARY

This section of the EIR identifies the cumulative impacts associated with the proposed project as statutorily required by CEQA. Cumulative impacts expected from the project are the result of combining the potential effects of the project with other cumulative development. The following discussion considers the impacts of the relevant environmental areas. This information is taken from the various analyses from Section 3.0 of this EIR.

5.1 ANALYSIS REQUIREMENT

CEQA GUIDELINES

CEQA requires that an EIR contain an assessment of the cumulative impacts that could be associated with the proposed project. According to CEQA Guidelines Section 15130(a), "an EIR shall discuss cumulative impacts of a project when the project's incremental effect is cumulatively considerable." "Cumulatively considerable" means that the incremental effects of an individual project are considerable when viewed in relation with the effects of past projects, the effects of other current projects and the effects of probable future projects. As defined in CEQA Guidelines Section 15355, cumulative impacts refer to two or more individual effects which, when considered together, are substantial or which compound or increase other environmental impacts. A cumulative impact occurs from:

...the change in the environment which results from the incremental impact of the project when added to other closely related past, present, and reasonably foreseeable future projects. Cumulative impacts can result from individually minor but collectively significant projects taking place over a period of time.

In addition, Section 15130(b) identifies that the following three elements are necessary for an adequate cumulative analysis:

(1) Either:

- (A) A list of past, present, and probable future projects producing related or cumulative impacts, including, if necessary, those projects outside the control of the agency, or
- (B) A summary of projections contained in an adopted general plan or related planning document, or in a prior environmental document which has been adopted or certified, which described or evaluated regional or area wide conditions contributing to the cumulative impact. Any such planning document shall be referenced and made available to the public at a location specified by the lead agency;

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- (2) A summary of the expected environmental effects to be produced by those projects with specific reference to additional information stating where that information is available, and
- (3) A reasonable analysis of the cumulative impacts of the relevant projects. An EIR shall examine reasonable, feasible options for mitigating or avoiding the project's contribution to any significant cumulative effects.

Where a lead agency is examining a project with an incremental effect that is not "cumulatively considerable," a lead agency need not consider that effect significant, but shall briefly describe its basis for concluding that the incremental effect is not cumulatively considerable. CEQA Guidelines Section 15130(a) also states the following with regard to cumulative impacts that are not significant:

- As defined in Section 15355, a cumulative impact consists of an impact which is created as a result of the combination of the project evaluated in the EIR together with other projects causing related impacts which do not result in part from the project evaluated in the EIR (Section 15130 (a)(1)).
- When the combined cumulative impact associated with the project's incremental effect and the effects of other projects is not significant, the EIR shall briefly indicate why the cumulative impact is not significant and is not discussed in further detail in the EIR. A lead agency shall identify facts and analysis supporting the lead agency's conclusion that the cumulative impact is less than significant (Section 15130(a)(2)).
- An EIR may determine that a project's contribution to a significant cumulative impact will be rendered less than cumulatively considerable and thus is not significant. A project's contribution is less than cumulatively considerable if the project is required to implement or fund its fair share of mitigation measure or measures designed to alleviate the cumulative impact. A lead agency shall identify facts and analysis supporting the lead agency's conclusion that the cumulative impact is less than significant (Section 15130(a)(3)).

CEQA Guidelines (Section 15130(b)(1)) requires the use of one method of cumulative analysis from two choices offered: a list of known past, present and probable future projects in the area or a summary of projections contained in adopted municipal plans and planning documents. For the purposes of cumulative impact analysis for this EIR, the list method is used. Relative to this method, CEQA Guidelines state the following:

1. *When utilizing a list...factors to consider when determining whether to include a related project should include the nature of each environmental resource being examined, the location of the project and its type. Location may be important, for example, when water*

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quality impacts are at issue since projects outside the watershed would probably not contribute to a cumulative effect. Project type may be important, for example, when the impact is specialized, such as a particular air pollutant or mode of traffic.

2. *“Probable future projects” may be limited to those projects requiring an agency approval for an application which has been received at the time the notice of preparation is released, unless abandoned by the applicant; projects included in an adopted capital improvements program, general plan, regional transportation plan, or other similar plan; projects included in a summary of projections of projects (or development areas designated) in a general plan or a similar plan; projects anticipated as later phase of a previously approved project (e.g. subdivision); or those public agency projects for which money has been budgeted.*
3. *Lead agencies should define the geographic scope of the area affected by the cumulative effect and provide a reasonable explanation for the geographic limitation used (Section 15130(b)(1)(A)1, 2, 3).*

5.2 CUMULATIVE IMPACT ANALYSIS AND ASSUMPTIONS

Based on project conditions, assessment of the project’s contribution to cumulative impacts were discussed for each of the topic areas addressed in **Section 3.0, Environmental Setting, Impacts and Mitigation Measures**. Using the ‘list’ method identified above, the impacts associated with that growth were projected. Cumulative area projects evaluated, in addition to the proposed project, are listed in **Table 5-1**. This list was compiled in December 2004.

For each section, the discussion of cumulative impacts of these projects follows direct project impacts and mitigation measures. Throughout the cumulative analysis presented in this EIR, the appropriate cumulative context is described and considered in light of the types of impacts created by the project. The cumulative impacts summarized below are also presented in each of the Environmental Analysis subsections of the EIR (see **subsections 3.1 through 3.13**). Each cumulative impact is determined to have one of the following levels of significance: **less than significant**, **potentially significant**, or **significant and unavoidable**, thus requiring a Statement of Overriding Considerations.

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**TABLE 5-1
CUMULATIVE PROJECTS IN THE CITY OF MORGAN HILL**

DEVELOPMENT	STATUS	LAND USE	SIZE
COMMERCIAL/INDUSTRIAL			
Nicholson VI	Approved	General Light Industrial	19,933 sf
Venture Prof. Center Phase II	Approved	General Office	21,878 sf
Venture Prof. Center Phase II	Under Construction	Medical Office	39,140 sf
In-n-Out Burger	Approved	Fast-food Restaurant	3,253 sf
Dennys	Approved	Restaurant	5,096 sf
Condit – The Ford Store	Project Completed	New Car Sales	25,000 sf
W. Main - Meduri	Project Completed	General Commercial	50,500 sf
Lusamerica Fish Co.	Approved	General Light Industrial	65,160 sf
School Expansion	Approved	Private School	366 students
Aerie, Inc. Gymnasium	Under Construction	Recreational Community Ctr	9,141 sf
Commercial Center	Under Construction	Shopping Center	30,190 sf
Digital Drive Lots 9 & 10	Under Construction	General Light Industrial	23,172 sf
Condit – Patel	Under Construction	Shopping Center	6,472 sf
Vineyard – Spirit Road Oils	Approved	General Industrial	9,000 sf
Monterey – Moreno	Under Construction	General Office	4,500 sf
Mast - Mangano	Approved	General Light Industrial	6 acres
Monterey– South Valley Developers	Approved	General Office	36,288 sf
Monterey– South Valley Developers	Under Construction	Shopping Center	23,724 sf
Monterey – MH Engineering	Approved	General Office	3,635 sf
Temple Emanuel	Under Construction	Synagogue	10,506 sf
Depot – Grainery	Under Construction	General Office	13,200 sf
RESIDENTIAL			
Villanova	Approved	Single Family	6 units
Mission Ranch	Under Construction	Single Family	1 unit
Mission Ranch	Approved	Single Family	21 units
Spring Manor	Under Construction	Single Family	1 unit
Spring Manor	Approved	Single Family	1 unit
Madrone Crossing	Under Construction	Single Family	12 units
Madrone Crossing	Approved	Single Family	2 units
Murphy Ranch	Under Construction	Multi Family	38 units
Sheng Property – Mirasol	Under Construction	Single Family	16 units
East Dunne - Gerwal	Approved	Single Family	4 units
Quail Creek – Phase I	Under Construction	Single Family	7 units
Quail Creek – Phase II	Approved	Single Family	22 units
Morgan Station	Approved	Single Family	5 units
Watsonville South County Housing	Approved	Single Family	10 units
Barrett-Ditri	Approved	Single Family	15 units
Lands of Acton/W. Main Vierra	Approved	Single Family	5 units

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DEVELOPMENT	STATUS	LAND USE	SIZE
Christeph Ct. Kosich	Approved	Single Family	1 unit
Berkshire-Singh	Under Construction	Single Family	4 units
Coyote Creek Estates	Under Construction	Single Family	12 units
Tuscany Meadows	Under Construction	Single Family	15 units
San Vincente Estates	Under Construction	Single Family	5 units
Quail Meadows	Approved	Single Family	6 units
Alicante Estates	Under Construction	Single Family	14 units
Alicante Estates	Approved	Single Family	42 units
Central Park	Approved	Single Family	39 units
San Pedro Villas	Under Construction	Multi Family	9 units
San Pedro Villas	Approved	Multi Family	8 units
Coyote Estates	Under Construction	Single Family	17 units
Coyote Estates	Approved	Single Family	53 units
Church Street Apartments	Under Construction	Multi Family	49 units
E. Central – Morgan Lane	Under Construction	Single Family	10 units
E. Central – Morgan Lane	Approved	Single Family	28 units
DeWitt – Marquez	Approved	Single Family	4 units
DeWitt – Marrad	Approved	Single Family	3 units
PENDING			
COMMERCIAL/INDUSTRIAL			
River Dance Plaza	Approved	Commercial/Office	45,080 sf
Assisted Living	Approved	Assisted Living	94 beds
Assisted Living	Approved	Congregate Care Facility	70 units
Assisted Living	Approved	General Office	13,560 sf
Assisted Living	Approved	Childcare Facility	6,050 sf
Retail Center	Approved	Specialty Retail Center	3,597 sf
Day Worker Center	Approved	General Office	2,800 sf
Library	In Process	Library	40,000 sf
Indoor Rec Center	Under Construction	Recreational Community Center	52,000 sf
RESIDENTIAL			
Mission Ranch	In Process	Single Family	39 units
Madrone Crossing	In Process	Single Family	78 units
Morgan Station	In Process	Multi Family	9 units
Villas of San Marcos	In Process	Multi Family	5 units
Hill – Gera	In Process	Single Family	9 units
Royal Court South County Housing	In Process	Multi Family	55 units
San Pedro Villas	In Process	Multi Family	15 units
DeWitt – Latala	In Process	Single Family	3 units
Borello Farms	In Process	Single Family	15 units
Christeph	In Process	Single Family	3 units
Jasper Park	In Process	Multi Family	8 units

Source: City of Morgan Hill

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DISCUSSION OF CUMULATIVE IMPACTS

Aesthetics

Cumulative Degradation of Visual Character

Impact 3.1.3 The proposed project in combination with cumulative development would add to the urbanization of the project area, resulting in a visual change within the City of Morgan Hill. This is considered **a less than significant impact**.

The proposed project in combination with cumulative development would continue to urbanize the City of Morgan Hill. The *City of Morgan Hill General Plan* anticipated the future development of the project site with commercial uses. The overall change in the visual character of the project site from rural residential and agriculture to a 657,250 square foot shopping center would result in a permanent change, but this is not considered a significant impact in that the project site is not considered a significant visual resource in the *City of Morgan Hill General Plan* and City review and approval processes will ensure that the improvements do not substantially degrade the visual quality of the City. Adjacent County lands would continue to provide the sense of rural character beyond the city limits. Policies in the *City of Morgan Hill General Plan* that emphasize preservation of the rural environment, implemented over time, would address cumulative visual effects resulting from growth in the city limits. Therefore, the proposed project's contribution to the cumulative degradation of visual character in the region would be considered **less than significant**.

Agricultural Resources

Cumulative Loss of Farmland

Impact 3.2-3 The proposed project would convert approximately 66.49 acres of agricultural land to urban uses. This loss would contribute to the cumulative loss of farmland in the region. This considered a **less than significant impact**.

The County of Santa Clara has experienced a ten percent decrease (3,192 acres) in the amount of 'Prime Farmland' between 1998 and 2002 from the conversion of farmland to urban uses (DOC 2002). The proposed project would contribute to the on-going conversion of prime agricultural land in Santa Clara County to urbanized uses by converting approximately 66.49 acres of agricultural land to commercial uses. Based on the California Agricultural LESA model, the conversion of the agricultural land at the project site is considered a significant and unavoidable impact. The proposed project

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would therefore contribute to the cumulative conversion of farmland to urban uses. However, the majority of agricultural acreage in Santa Clara County is located in unincorporated areas where there are strong land use policies to preserve this unincorporated agricultural land. Therefore, the proposed project's contribution to the cumulative loss of agricultural land in the region would be considered **less than significant**.

Air Quality

Cumulative Air Quality Emissions

Impact 3.3-5 Project development, combined with other reasonably foreseeable projects in the project vicinity, would contribute to increased air quality emissions in the air basin. This cumulative impact is considered a **significant impact**.

Cumulative air quality impacts are evaluated based on both a quantification of the project-related air quality impacts and the consistency of the proposed project with local and regional air quality plans (i.e., the *Morgan Hill General Plan* and the *BAAQMD 2000 Bay Area Clean Air Plan*). The proposed project would result in a significant cumulative air quality impact if project impacts are significant and/or the proposed project is found to be inconsistent with the *City of Morgan Hill General Plan* and/or the *BAAQMD Clean Air Plan*. In addition to the above significance criteria, the BAAQMD has established thresholds of significance for construction and operational emissions associated with development projects.

At the local level, future cumulative traffic conditions would not result in any violation of a CO standard. As a result, there would not be a cumulative impact to localized air quality emissions. At the regional level, long term operational emissions associated with traffic generated by the proposed project are predicted to be above the significance thresholds established by the BAAQMD as shown in **Table 3.3-4**, and therefore, would result in a cumulatively considerable net increase of any criteria pollutant for which the region is non-attainment under an applicable federal or state ambient air quality standard.

The BAAQMD is the regional agency responsible for overseeing compliance with State and Federal laws, regulations, and programs within the San Francisco Bay Area Air Basin. The BAAQMD, with assistance from the Association of Bay Area Governments and the Metropolitan Transportation Commission, has prepared and implements specific plans to meet the applicable laws, regulations, and programs. Among them are the *Carbon Monoxide Maintenance Plan* (1994), *Bay Area Clean Air Plan* (2000), and the *2001 Ozone Attainment Plan* (currently under review for approval by EPA). The BAAQMD has also developed CEQA guidelines to assist lead agencies in evaluating the significance of air quality impacts. In formulating compliance strategies, the BAAQMD relies on planned land uses established by local general plans. When a project proposes to change planned

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uses, by requesting a general plan amendment, the project may depart from the assumptions used to formulate BAAQMD in such a way that the cumulative result of incremental changes may hamper or prevent the BAAQMD from achieving its goals. This is because land use patterns influence transportation needs, and motor vehicles are the primary source of air pollution.

The project site has a General Plan designation of 'Commercial' in the *City of Morgan Hill General Plan* and a zoning designation of 'PUD (HC)' in the *City of Morgan Hill Planning and Zoning Codes*. The *City of Morgan Hill General Plan* designates the project site as the location of a sub-regional commercial site and the proposed project is consistent with the *City of Morgan Hill General Plan* designation. The proposed project would include a General Plan Amendment (GPA) for the relocation of a future collector street extending from Mission View Drive north of Cochrane Road instead of extending from De Paul Drive (formerly St. Louise Drive) as designated on the *City of Morgan Hill General Plan* map. This amendment is not likely to interfere with population projections or change vehicle miles traveled in Morgan Hill. The project is proposing a retail center that would serve the needs of the population. It is unlikely to interfere with region-wide population or vehicle miles traveled projections that are used in Clean Air planning efforts. However, because the proposed project results in significant emissions of air pollutants that affect regional air quality, it is considered to result in a **significant cumulative unavoidable impact** that cannot be mitigated to a less than significant level.

Biological Resources

Cumulative Impacts to Special Status Species, Critical Habitats and Wildlife Movement

Impact 3.4-8 The proposed project, in addition to anticipated cumulative development in the project vicinity, may disturb special status species, critical habitats, and wildlife movement throughout the region. These impacts would be considered **potentially significant cumulative impacts**.

Implementation of the proposed project would result in a loss of habitat and contribute to biological resource impacts, including disturbance of special status species. Anticipated development within the City of Morgan Hill is expected to further contribute to these impacts and is considered a potentially cumulative significant to biological resources.

Implementation of mitigation measures incorporated herein, would reduce the overall contribution to cumulative biological resource impacts resulting from completion of the proposed project. Therefore, the project contributions to the potential loss and/or restriction of biological resources in the region are considered **less than significant**.

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Cultural Resources

Cumulative Impacts to Archaeological and Cultural Resources

Impact 3.5-3 Implementation of the proposed project, in combination with cumulative development activity in the region, would increase the potential to disturb or contribute to the loss of known and undiscovered cultural resources. This is considered a **potentially significant impact**.

Implementation of **Mitigation Measures MM 3.5-1a** and **MM 3.5-1b** would ensure the project's contribution to this cumulative impact remains at a **less than significant** level by addressing impacts on a case by case basis, thus avoiding compounding of cumulative development.

Geology and Soils

Cumulative Impacts from Geologic Hazards

The proposed project and project impacts will not combine with any other factors or projects and, thus, is not significant due to the localized, site-specific nature of geotechnical and seismic impacts. No significant cumulative impacts are predicted relative to geology or geologic hazards. Cumulative development would result in **no cumulative impacts**.

Hazards and Hazardous Materials

Risk of Exposure to Hazardous Waste or Materials

Impact 3.7-7 New development resulting from cumulative development in the City of Morgan Hill could expose people, property, and the environment to hazardous materials. This cumulative impact is considered **less than significant**.

Implementation of the proposed project would result in the potential risks associated with exposure to hazardous substances such as pesticides, asbestos containing materials, and lead associated with previous land uses. However, hazardous materials impacts would be site-specific and are generally not affected by cumulative development in the region. No significant hazardous waste generators were identified within a half-mile of the project site that pose a significant environmental threat to the project site. In addition, implementation of the proposed project would not contribute to an increase in the potential for soil or groundwater contamination. Therefore, the proposed project itself is not anticipated to contribute to a health or hazard-related impact that would cumulatively affect the

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environment and the cumulative impact is considered **less than significant**. No mitigation measures are necessary.

Surface Water Hydrology and Water Quality

Cumulative Surface Runoff and Contamination

Impact 3.8-6 New development, combined with other reasonably foreseeable projects in the City of Morgan Hill, would contribute to increased surface runoff and greater runoff contamination in an area that historically was used for agriculture. This cumulative impact is considered **less than significant**.

Ultimate development of the project site would contribute to cumulative drainage flows and surface water quality impacts when combined with other growth and development. However, the City of Morgan Hill requires that all new projects follow the City's detention design criteria, which requires all new developments to design and construct facilities such as stormwater detention basins adequate to limit flow to pre-development levels, and best management practices for control of surface water contaminants (see MM 3.8-5). The application of these standards and practices at each development site would result in minimization of the combined impact. Therefore, the cumulative storm water runoff and contamination impact is considered **less than significant**.

Land Use

Conflicts with the Applicable Land Use Plan, Policy, or Regulations

Impact 3.9-3 The proposed project, combined with other foreseeable projects in the City of Morgan Hill, may result in cumulative land use impacts to the project area. This is considered a **less than significant** impact.

The proposed project meets the *City of Morgan Hill General Plan* goals and policies, which seek to encourage retail sales at major intersections, a sub-regional retail use at the northeast freeway interchange, and a variety of commercial uses to meet the needs of city residents. The proposed project would be subject to design review, which will ensure that the proposed project meets the goals and policies in the *City of Morgan Hill General Plan* for high quality commercial development at the northern gateway to the City of Morgan Hill. The proposed project would be consistent with the *City of Morgan Hill General Plan* and zoning provisions applicable to the project site and therefore would result in a less than significant land use impact. In addition, cumulative development would be subject to the City's development review process through which any potentially significant land use impacts would be reduced to a **less than significant level**.

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Potential for Urban Decay Due to Secondary Cumulative Economic Impacts

Impact 3.9-5 The proposed project, combined with other foreseeable projects in the City of Morgan Hill, may result in urban decay due to secondary cumulative land use impacts. This is considered a **less than significant** impact.

The retail market impact analysis (Appendix I) conducted by BAE assessed the impacts of the proposed project in the context of other likely retail developments in the market area or affecting the market area. In Morgan Hill, there are several sites zoned for future retail development, but most are neighborhood centers. The only one besides the proposed project in the development process in the vicinity of the project site is located to the west of U.S. Highway 101 on Cochrane Road at Madrone Parkway, across from Cochrane Plaza. This development involves the rezoning of an eight-acre parcel for a neighborhood commercial center totaling 72,000 square feet. This project is currently not in architectural and site review, but the rezone has been approved by the City. Current plans call for a number of smaller pads and one 50,000 square-foot store. No tenants are committed to this project at this time. As a neighborhood center, the uses are not likely to compete directly with the planned region-serving uses at the proposed project. A project of uncertainty in Morgan Hill is the expansion of the Cinelux movie theatre which would add three more screens to their existing eight at Tennant Station. This would lead to even more oversaturation of movie screens in Morgan Hill and the Cinema Trade Area, but how this would impact the viability of the existing multiplex and Tennant Station are unclear. It could make it more competitive and lead to lower movie attendance at the proposed project, but also might further erode the profitability of Cinelux's multiplex as it operates more screens but fails to gain enough additional patrons due to the competition from the proposed project. The proposed expansion may add to Cinelux's market share thus discouraging competitors entering the market.

The one under-construction, planned, or proposed development of significance with respect to potential cumulative impacts is the Wal-Mart Supercenter in Gilroy, slated for opening later this year. The addition of a full grocery department to the store will capture supermarket sales going to competitors in Gilroy, Morgan Hill, and elsewhere, with stores in Gilroy bearing the brunt of the impact due to their proximity. The additional sales likely to be captured from Morgan Hill stores in combination with a grocery store at the proposed project would not be likely to lead to closures, as each of the major supermarkets is performing at levels capable of sustaining this level of additional sales loss, assuming the losses are shared somewhat equally. The vacancy created by Wal-Mart's closure of their existing store is another significant retail real estate event related to the opening of the Supercenter. As an older existing space designed for a certain user, it is unlikely to attract the kinds of prime tenants seeking new space in a center such as the proposed project.

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However, mitigation measures required as part of the approvals for the Supercenter require the demolition of this space if it is not re-leased within a certain period of time.

BAE research found one other proposed project in Gilroy with a potential region-serving focus, Gilroy Commons, a 117,000 square foot center on slightly over 10 acres adjacent to Gilroy Crossing. According to Gilroy planning staff, one major store in this space will be occupied by an electronics store such as Circuit City, and another potential tenant was a store such as Marshall's or TJ Maxx. The analysis in this report uses the Target Trade Area for these store types, and thus already excludes Gilroy, and assumes that the proposed project will not capture from the Gilroy area. If the proposed project has competitors to the stores in this center, it is assumed already only to capture leakage out of Morgan Hill, and the presence of this new center will not present any new cumulative impacts in combination with the proposed project. This finding is reinforced by the fact that the center is configured as an in-line center rather than with the more pedestrian-oriented lifestyle center design of the proposed project.

In San José, the development currently in process that may result in cumulative impacts is the development at the IBM site of a Lowe's home improvement center in a 222,000 square foot center with other tenants not currently known. This development would make it much less likely that San Jose shoppers would frequent a similar store in Morgan Hill, since most of them would drive by this center to get to Morgan Hill. This development is currently working its way through the EIR process, albeit with some difficulty and controversy due to the potential loss of historic structures at the site. Moreover, the San Jose Lowe's project lies outside the Target Trade Area (used also for the potential home improvement center), and as such would result in little if any additional loss of business (at the Morgan Hill Home Depot), and therefore would result in a **less than significant** cumulative project impact.

Noise

Cumulative Traffic Noise

Impact 3.10-5 The proposed project would contribute to cumulative traffic on the roadway network over existing conditions, which would contribute to cumulative traffic noise at sensitive receptors along Cochrane Road. This is considered a **significant impact**.

Project generated traffic and traffic associated with cumulative development would increase the L_{dn} at the homes located southeast and east of the Cochrane Road/Mission View Drive intersection to 57 dBA along the Cochrane Road frontage and to 59 dBA at the homes located along Mission View Drive, which is considered 'normally acceptable' under the City of Morgan noise standards for residential uses. Therefore, the subsequent noise level increases at these homes under cumulative conditions would be considered less

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than significant. The combination of project-generated traffic and traffic associated with cumulative development in the area will increase traffic noise levels between 4 to 9 dBA from U.S. Highway 101 and Mission View Drive, with an increase of 6 dBA at the two homes located south of Cochrane Road. This would increase the L_{dn} at these homes to 70 dBA under cumulative conditions with project-generated traffic.

The only effective mitigation measure that would reduce the exterior noise levels at the two single family homes located south of Cochrane Road, under cumulative conditions, would be construction of an effective noise attenuation barrier along Cochrane Road. Construction of a noise attenuation barrier at this location is considered infeasible as discussed in Impact 3.10-2. In addition, according to the *City of Morgan Hill General Plan*, the property in which these two residences are currently located is designated for commercial uses in the *City of Morgan Hill General Plan*. Therefore, it is likely that these properties may be developed for commercial uses in the future. Therefore, this impact would be considered a **short-term significant and unavoidable cumulative impact** in the interim until these properties are developed. Development of these properties would likely occur after build out of the proposed project.

Public Services

Cumulative Impacts to Public Services

Impact 3.11-5 The proposed project, in addition to anticipated cumulative development in the project vicinity, may result in the need for increased public facilities for the provision of police and fire protection services, and to a lesser degree parks and educational facilities. These impacts are expected to be **less than significant**.

The cost of these new facilities would be covered in whole or in part by development impact fees assessed on all new construction, as specified and restricted in Chapters 3.44 and 3.56 of Morgan Hill Municipal Code. As a result, the public impacts associated with providing facilities for cumulative development would be considered **less than significant**. No mitigation is required.

Transportation and Circulation

Cumulative Intersection Level of Service Impacts

Impact 3.12-11 The addition of project-generated traffic would result in cumulative level of service impacts at the Cochrane Road/Mission View Drive intersection. This is considered a **significant impact**.

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Cumulative baseline conditions are defined as Background Conditions (existing plus approved trips) plus traffic generated by projects for which development applications are pending but have not yet been approved. (The pending projects were identified by the City of Morgan Hill and are listed in the traffic report in Appendix K and included in Section 5.0, Cumulative Impacts). The resulting traffic scenario is referred to as the Cumulative No Project Condition.

Additional roadway improvements assumed under this scenario, at the direction of City staff, included: 1) At the Cochrane Road at Butterfield Boulevard intersection, a second westbound left-turn lane will be constructed by the City; 2) At the Cochrane Road/Sutter Boulevard intersection, the City will convert the right-turn lane on the eastbound approach to a shared through/right-turn lane, and convert the northbound Sutter Boulevard through lane on the approach to Cochrane Road to a shared through/right-turn lane.

Intersection level of service calculations compared the Cumulative No Project Condition to the Cumulative Plus Project Condition in order to determine the project's cumulative impacts. The analysis found that the proposed project would result in a significant impact at the Cochrane Road/Mission View Drive intersection, where levels of service would degrade from acceptable LOS B or C (depending on the peak hour) to unacceptable LOS F during all peak hours. Implementation of the following mitigation measure would reduce this impact to a **less than significant level**.

It should be noted that the Dunne Avenue/Monterey Road intersection is expected to operate at an unacceptable LOS D under both Cumulative No Project and Cumulative Plus Project Conditions. However, since the increase in critical delay resulting from project traffic is less than four seconds, there is no impact under the City's criteria, as set forth above. The remaining intersections are projected to operate at acceptable levels of service (LOS D+ or better) during all peak hours. (See traffic report in Appendix J for LOS table and further discussion.)

MM 3.12-11 At the Cochrane Road/Mission View Drive intersection, a traffic signal shall be installed with protected left-turn phasing on all approaches. In addition, this intersection shall be reconfigured to include the following geometry:

- The northbound approach should include one left-turn lane and one shared through/right-turn lane.
- The westbound approach should include one left-turn lane, one through lane, and one shared through/right-turn lane.
- The southbound approach should include one left-turn lane, one shared through/right-turn lane, and one right-turn lane.

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- The eastbound approach should include one left-turn lane, one through lane, and one right-turn lane.

Implementation of this mitigation measure would improve the level of service at the Cochrane Road/Mission View Drive intersection to acceptable levels (LOS D+ or better) under Cumulative conditions. Therefore, the proposed project would result in a **less than significant cumulative impact**.

Cumulative Freeway Level of Service Impacts

Impact 3.12-12 The addition of project-generated traffic would have a significant impact on the level of service at the segment of U.S. Highway 101 between Tennant Avenue and Dunne Avenue.

As discussed above under Impact 3.12-11, Cumulative Plus Project Conditions are defined as Background Conditions (existing plus approved trips) plus traffic generated by projects for which development applications are pending but have not yet been approved, plus traffic generated by the proposed project. Since no capacity improvements are planned or programmed for the segments of US 101 in the project vicinity, the freeway segment between Tennant Avenue and Dunne Avenue would continue to operate at LOS F in the AM peak hour under Cumulative Plus Project Conditions. The capacity for the segment of US 101 between Tennant Avenue and Dunne Avenue is 6,900 vehicles. The project is anticipated to generate 87 trips along this segment during the AM peak hour, which represents an increase in volume of 1.26 percent. Since the traffic volume generated under this scenario would add volume greater than one percent to this freeway segment, this would represent a **significant cumulative impact**.

Mitigation Measure

MM 3.12-2 The project shall implement the applicable actions listed in the *Immediate Implementation Action List* contained in the *Deficiency Plan Guidelines* of the County's Congestion Management Program, which are intended to encourage the use of non-automobile transportation modes and to help maximize the efficiency of the existing transportation system.

The *Immediate Implementation Action List* comprises a general listing of the types of the measures which can be implemented by project sponsors and/or lead agencies. The listed actions which can be implemented at the project-specific level include: improvements to bicycle and pedestrian facilities; improvements to public transit facilities; and information programs to encourage TDM (Transportation Demand Management) measures such as carpooling. (The full list is contained in Appendix H of the traffic report which is contained

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in Appendix J of this EIR.) The proposed project would implement several of these action items, either as part of the proposed project or as mitigation measures (for transportation and/or air quality impacts) identified elsewhere in this EIR. These actions include:

- Pedestrian circulation system improvements including sidewalks along project frontages, crosswalks at adjacent intersections and project driveways, internal project sidewalks and marked pedestrian paths providing internal pedestrian circulation;
- Bicycle system improvements including dedication of right-of-way for Class II bike lane along project street frontages, and installation of on-site bicycle storage facilities;
- Transit improvements such as provision of transit stop on project Cochrane Road frontage, and posting of transit schedule and fare information on project employers' bulletin boards;

However, the implementation of these measures would not reduce the cumulative plus project traffic contribution to this freeway segment to less than one percent of current volumes. Therefore, the impact would not be reduced to less-than-significant levels and the cumulative plus project traffic would result in a **significant and unavoidable cumulative impact** to this freeway segment.

Intersection Level of Service Impacts – General Plan Buildout Conditions

Impact 3.12-13 With the addition of project-generated traffic, significant impacts would occur at two intersections under General Plan Buildout Conditions, as follows:

- a) The Cochrane Road/Butterfield Boulevard signalized intersection is projected to operate at unacceptable LOS E- during the AM peak hour, and at unacceptable LOS F during the PM peak hour under General Plan Buildout Conditions. This is considered a significant impact.
- b) The Cochrane Road/Cochrane Plaza signalized intersection is expected to operate at unacceptable LOS D during the PM peak hour under General Plan Buildout Conditions. This is considered a significant impact.

This scenario analyzes traffic operations under 2025 General Plan Conditions. This scenario includes the proposed General Plan Amendment to eliminate the Cochrane Road-to-Burnett Avenue connection via the northern extension of De Paul Drive, and replace it

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with a parallel connection via Mission View Drive located approximately 800 feet to the northeast of the project site. Thus, for purposes of the traffic analysis, General Plan Buildout Conditions are defined as traffic volumes estimated for buildout of the *City of Morgan Hill General Plan* (Year 2025) plus traffic associated with the proposed project (i.e., based on refinement of model assumptions for site development), and assuming the above change to the General Plan Circulation Element. (The analysis assumes a number of other major roadway improvements to be in place under this scenario, as described in the traffic report in Appendix K).

The operations of the eight key intersections on Cochrane Road were evaluated for level of service impacts. Operations at the remaining seven study intersections are not expected to change as a result of the proposed General Plan Amendment and thus were not evaluated in detail by Fehr and Peers Associates. The results indicate that the Cochrane Road/Butterfield Boulevard (during both peak hours) and the Cochrane Road/Cochrane Plaza (during PM peak hour) are expected to operate at unacceptable levels under General Plan Buildout Conditions.

The remaining intersections are projected to operate acceptably during the AM and PM peak hours. Although the project's peak trip generation occurs on Saturday, the combination of project traffic and other cumulative traffic is lower on weekends than during the weekday commute hours. Accordingly, weekend peak hour operations were not analyzed.

Intersections operating at unacceptable levels under General Plan Buildout Conditions will require modifications in order to operate at acceptable levels of service. Implementation of the following mitigation measure would reduce this significant impact to a **less than significant level**.

Mitigation Measure

MM 3.12-13 The following intersection modifications are identified to provide acceptable operations under General Plan Buildout Conditions:

- a) Cochrane Road/Butterfield Boulevard. For the intersection to operate at LOS D+ or better during the AM and PM peak hours, the General Plan configuration for the intersection would require the following modifications:
 - Northbound approach: increase number of left-turn lanes from one to two; increase the number of through lanes from one to two; reduce the number of right-turn lanes from two to one.
 - Eastbound approach: add a free right-turn lane.

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- b) Cochrane Road/Cochrane Plaza. For the intersection to operate at LOS D+ or better during the PM peak hour, the General Plan configuration for the intersection would require the following modifications:
- Southbound approach: increase number of left-turn lanes from one to two; change the shared left/through lane to a through lanes; keep the number of right-turn lanes at one.

To implement the above mitigation measures, the applicant will be required to pay impact fees which reflect the project's fair share of improvement costs.

Utilities

Cumulative Impacts to Utilities

Impact 3.13-5 The proposed project, in addition to reasonably foreseeable projects in the vicinity, would likely result in the need for new or upgraded infrastructure for the delivery of water, sewer, telecommunications, electricity, and natural gas to the project area. This is considered a **less than significant impact**.

Ultimate development of the project site would contribute to cumulative impacts to the city's utility infrastructure when combined with other growth and development. However, the City of Morgan Hill Public Works Department as a practice requires this and other projects to provide infrastructure improvements consistent with the City Water and Sewer System Master Plans whose goal is the provision of adequate levels of potable water and sewage disposal within the Urban Service Area. Such plans exist to prevent significant impacts to water and sewer services that may result from uncoordinated development and increased demands for service. Additionally, the proposed project will be required to pay water and sewer impact fees to cover its share of the cumulative impact upon municipal systems. Cumulative impacts to telecommunications, natural gas and electricity can be expected to be less than significant as this applicant and other significant projects are required to provide "will-serve" letters prior to final map recordation and/or issuance of building permits. Therefore, cumulative impacts to utilities would be considered **less than significant**.

In summary, development of the identified approved, pending, and probable future projects, in addition to development of the proposed project would result in cumulatively significant impacts to air quality, noise, and transportation and circulation. Since these impacts cannot be feasibly mitigated to a less than significant level, these effects would represent significant and unavoidable cumulative impacts.